IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

WP(C).No. 27716 of 2004(Y)

PETITIONER:

C.K. MOHAMMED, S/O. KHADERKUNJI,
CHALAKKAL HOUSE, P.O. AZHIKODE, KODUNGALLUR,
THRISSUR.

BY ADV. SRI.M.SHAJU PURUSHOTHAMAN,
SRI.K.S.RAJESH,
SRI.M.BIJU KUMAR.

RESPONDENTS:
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1. **THE DEPUTY TAHASILDAR (R.R.),**
   TALUK OFFICE, KODUNGALLUR.

2. **THE VILLAGE OFFICER, VILLAGE OFFICE,**
   AZHIKODE, KODUNGALLUR.

3. **THE MATSYAFED, DISTRICT OFFICE,**
   WEST FORT, P.O. POOTHOLE, THRISSUR.

W.P.(C). NO.27716/2004:

4. THE AZHIKODE MATSYATHOZHILALI VIKASANA KSHEMA SAHAKARANA SANGHAM LTD., REP. BY THE SECRETARY, LIGHT HOUSE JUNCTION, P.O. AZHIKODE, KODUNGALLUR.

BY ADV. SRI.KOSHY GEORGE, SC, MATSYAFED,
SRI.K.K.M.SHERIF,
SRI.P.M.KUNJIMOIDEENKUTTY,
SRI.P.A.MOHAMMED ASHROF,
SRI.LAL K.JOSEPH,
SRI.A.A.ZIYAD RAHMAN,
SMT.K.K.RATNALATHA,
GOVT. PLEADER SMT. DEEPA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 14/03/2007,THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C). NO.27716/2004:

APPENDIX

PETITIONER'S EXHIBITS:

EXT.P.1: COPY OF THE IDENTITY CARD DT. 04/07/96.

EXT.P.2: COPY OF THE DEMAND NOTICE DT. 15/09/03 ISSUED BY THE R.3.

EXT.P.3: COPY OF THE CERTIFICATE DT. 07/03/02 ISSUED BY THE R.4.

EXT.P.4: COPY OF THE R.R. NOTICE ISSUED BY THE R.1. DT. 04/12/03.

//TRUE COPY//

prv.

KURIAN JOSEPH, J.

W.P.(C) No.27716 of 2004

Dated 14th March, 2007.

J U D G M E N T

The main prayer is for a direction to the respondents 1 to 3 to first proceed against the mortgaged property for recovery of the dues, before proceeding against the petitioner. Having heard the learned counsel on both sides, the request appears to be just, reasonable and equitable. Accordingly, the writ petition is disposed of directing the respondents 1 to 3 to proceed against the mortgaged property and only after exhausting such steps, the petitioner shall be proceeded against.

KURIAN JOSEPH, JUDGE.

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KURIAN JOSEPH, J

O.P.No. of 2002

J U D G M E N T

Dated 14th March, 2007.